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DATE FILED: Nov. 5, 08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
THE NEW YORK TIMES COMPANY and
PAUL VON ZIELBAUER,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
DEFENSE and DEPARTMENT OF THE
ARMY,

Defendants.
----- X

ECF CASE

07 Civ. 7481 (RJS)

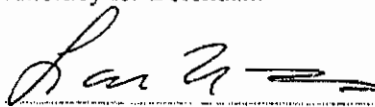
STIPULATION AND
ORDER OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED by and between plaintiffs, the New York Times Company and Paul Von Zeilbauer, and defendant United States Department of Defense, that pursuant to Federal Rule of Civil Procedure 41(a)(2), the above-captioned action is hereby dismissed with prejudice.

Dated: New York, New York
October 30, 2008

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for Defendant

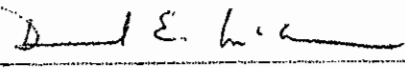
By:


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Dated: New York, New York
October 30, 2008

THE NEW YORK TIMES COMPANY
LEGAL DEPARTMENT
Attorneys for Plaintiffs


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SO ORDERED:


UNITED STATES DISTRICT JUDGE